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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/848,437	05/04/2001	Tim W. Blair	2222.038000H	7818

26111 7590 01/28/2008  
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
1100 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005

EXAMINER
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PHAM, KHANH B

ART UNIT	PAPER NUMBER
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2166

MAIL DATE	DELIVERY MODE
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01/28/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

09/848,437

**Applicant(s)**

BLAIR ET AL.

**Examiner**

Khanh B. Pham

**Art Unit**

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 21-90 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-90 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/31/07</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 31, 2007 has been entered. Claims 21-90 are pending.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 21-90** are rejected under 35 U.S.C. 103(a) as being unpatentable over Unger (US 5,721,910 A), , and in view of Krellenstein (US 5,924,090 A), hereinafter "**Unger**" and "**Krellenstein**".

**As per claim 21**, Unger teaches a method of enabling a user to organize and analyze information comprising:

- "searching an input first group of documents to output a second group of documents" at Col. 3 lines 8-20;

(Unger teaches the step of using predefined search criteria to disaggregate a set of documents into discrete technical categories (i.e., "second group"))

- "analyzing an input third group of documents according to one or more analytical functions to output a fourth group of documents" at Col. 6 lines 25-55.

(Unger teaches the stored analysis may be used to analyze documents and identify a set of documents of particular interest for a particular application)

- "selectively iterating at least one of the searching and at least one of the analyzing, wherein each iteration of the searching or the analyzing is performed using as the input one of the second group of documents, the fourth group of documents, or the output of a previous iteration" at Col. 3 lines 55-59 and Col. 6 lines 25-55.

(Unger teaches the step of further searching one or more categories (i.e., "second group") to identify a subset of documents. Unger also teaches the set of analyzed patents and/or technical documents (i.e., "fourth group") may then be used to identify trends(i.e., analyzing);

Unger does not explicitly teach that "said selectively iterating includes performing an additional iteration of the searching using the fourth group of documents as input, to

output a fifth group of documents” as claimed. However, Krellenstein teaches a similar method for searching electronic document using multiple iterations (See Fig. 2) by performing additional search on the search results to produce a subset of search result (Col. 4 line 40 to Col. 5 line 40). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Krellenstein with Unger's teaching. Krellenstein suggests performing additional search on the search results to reduce the number of search results so that only the most relevant search results are presented to the user.

**As per claim 22**, Unger and Krellenstein teach the method of claim 21 as discussed above. Unger further teaches : “making at least one of the second group or the fourth group a permanent group” at Col. 3 lines 45-50.

**As per claim 23**, Unger and Krellenstein teach the method of claim 21 discussed above. Unger further teaches: “wherein the searching comprises: performing a cluster analysis of the first group of documents to create a hierarchical arrangement of groups containing documents from the first group, wherein the second group is one of the hierarchical arrangement of groups” at Col. 5 lines 35-63.

**As per claim 24**, Unger and Krellenstein teach the method of claim 21 discussed above. Unger further teaches: “performing a relevancy visualization analysis of one of

the first group and the third group to identify how documents contained therein are inter-related with respect to key terms” at Col. 7 lines 5-25.

**As per claim 25**, Unger and Krellenstein teach the method of claim 24 discussed above. Unger further teaches: “relevancy visualization analysis operates according to a rule book” at Col. 5 lines 15-35.

**As per claim 26**, Unger and Krellenstein teach the method of claim 25 discussed above. Unger further teaches : “wherein the rule book comprises patent specific rule” at Col. 5 lines 15-35.

**As per claim 27**, Unger and Krellenstein teach the method of claim 21 discussed above. Unger further teaches : “generating an object corresponding to a search process component or an analyze process component of a work flow represented by the searching, the analyzing, and selective iterating” at Col. 7 line 25 to Col. 8 line 50.

**As per claim 28**, Unger and Krellenstein teach the method of claim 27 discussed above. Unger further teaches: “wherein an object is generated using object definition” at Col. 8 lines 35-50.

**As per claim 29**, Unger and Krellenstein teach the method of claim 28 discussed above. Unger further teaches: “wherein the object definition comprise: a Boolean operation object definition, a corporate family operating object definition; an export

object definition; a folder object definition; an import object definition; a list exploder operation object definition; a list object definition; a query object definition; or a patent family dedupe object definition" at Col. 8 lines 35-50.

**As per claim 30**, Unger and Krellenstein teach the method of claim 27, Unger further teaches : "saving the at least one object" at Col. 7 lines 25-50.

**As per claim 31**, Unger and Krellenstein teach the method of claim 27, Unger further teaches: "re-executing the work flow by traversing the at least one object" at Col. 8 lines 50-62.

**As per claim 32**, Unger and Krellenstein teach the method of claim 27, Unger further teaches: "creating a new work flow by modifying the at least one object" at Col. 8 lines 50-62.

**As per claim 33**, Unger and Krellenstein teach the method of claim 21, Unger further teaches: "annotating at least one of the first group, third group, or any portion of any document contained in the first group or the third group" at Col. 4 lines 50-57.

**As per claim 34**, Unger and Krellenstein teach the method of claim 21 discussed above. Unger further teaches: "wherein the initial group of documents is from at least one of a database, an external source, or the Internet" at Col. 4 lines 1-2.

**Claims 35-90** recite a method, system, computer program product, and a device for performing similar method as in claims 21-34. Claims 35-90 are therefore rejected by the same reasons discussed above.

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 21-90 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicant's disclosure.

If a reference indicated as being mailed on PTO-FORM 892 has not been enclosed in this action, please contact Lisa Craney whose telephone number is **(571) 272-3574** for faster service.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh B. Pham whose telephone number is (571) 272-4116. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Khanh B. Pham  
Primary Examiner  
Art Unit 2166

January 25, 2008

